



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF CORRECTIONS  
111 STATE HOUSE STATION  
AUGUSTA MAINE  
04333-0111

RANDALL A. LIBERTY  
COMMISSIONER

## **TESTIMONY OF**

**RANDALL A. LIBERTY COMMISSIONER  
DEPARTMENT OF CORRECTIONS**

### **In Support of**

**LD 1001 "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2019, June 30, 2020 and June 30, 2021"**

### **Before the**

**Joint Standing Committee on Appropriations and Financial Affairs and  
the Joint Standing Committee on Criminal Justice and Public Safety Committee**

**March 7, 2019**

Good afternoon Senator Breen, Representative Gattine, and Members of the Joint Standing Committee on Appropriations and Financial Affairs; Senator Deschambault, Representative Warren and members of the Joint Standing Committee on Criminal Justice and Public Safety. My name is Randall Liberty, and I am the Commissioner of the Department of Corrections. I am here today to testify in support of the biennial budget bill, LD 1001, as it relates to the Department of Corrections.

Governor Janet Mills has offered a budget that is balanced, as the Constitution requires; makes responsible investments to tackle serious challenges facing our state; and honors the will of the people. Maine people want better health care, better schools, better jobs and economic opportunities, and do not want to pay higher taxes. As such, this budget is about HOPE: health, opportunity, prosperity, and education. It offers pragmatic initiatives within a common-sense budget framework.

### **DEPARTMENTAL OVERVIEW**

The Department of Corrections is responsible for the direction and general administrative supervision, guidance and planning of adult and juvenile correctional facilities and programs within the State of Maine. It is the Department's directive to firmly control all the State's correctional and detention facilities, to provide for the safety of staff and clients, to undertake appropriate programming for the classification, education, rehabilitation and maintenance of clients and assure an effective system for the supervision of parolees and probationers. Through the guidance of the State of Maine legislature the Department endeavors to improve the administration of correctional facilities, programs and services for clients.

On page A-109 is the Department's baseline for the biennium, predominantly in the General Fund, for a total of \$204M and \$210M for fiscal year 2020 and 2021, respectively.

### **Administration**

Page A-110 begins our first program, Administration, which represents the Department's central functions including the Office of the Commissioner, Victim Services, Classification, Security Investigation and Audit Functions, Adult and Juvenile Services, Medical and Treatment services.

The Administration program also includes costs associated with the Department of Administrative and Financial Services, internal service fund charges, for Information Technology, Finance, Human Resources, and other services provided by DAFS.

There are two Administration initiatives for the biennium: The first, reduces General Fund All Other by \$354,770 in FY20 and \$408,114 in FY21. This reduction is related to changes in rates, applications, support positions and equipment counts provided to Corrections by the Office of Information Technology.

The second initiative relates to the establishment of 15 positions for a new Washington County Prerelease Center. The request is \$28,644 of General Fund appropriation in FY2020 and \$29,074 in FY2021 for technology and All Other costs to support the positions. This initiative will also be referenced on pages A-117 and A-127.

### **Adult Community Corrections**

On page A-112 is the Adult Community Corrections program, which funds the costs of probation officers, support staff, regional offices and contracted community services for the supervision of adult offenders who are on probation or parole.

The one initiative is this program requests \$150,000 of General Fund All Other appropriation in each year of the biennium for community based correctional treatment programming. Specifically, these funds will be used to pay for substance use disorder treatment and sex offender treatment for indigent probationers. Each one of the three probation regions will be allocated \$50,000 each year of the biennium.

Previously, the Department utilized federal grant funding to pilot this method of supporting important community-based treatment for indigent probationers, which offers a much-needed level of access not previously afforded.

### **Bolduc Correctional Facility**

The Bolduc Correctional Facility program may be found on page A-113. The Bolduc Correctional Facility is a male offender minimum security facility with a population of approximately 223. Bolduc provides educational programs, treatment work release and community restitution.

The one initiative in this program is a request to increase All Other Special Revenue Funds allocation by \$27,288 in both years of the biennium for the expansion of the bread making and auto repair programs.

The bread made at BCF is supplied to MSP. The auto repair program teaches offenders automotive service industry skills, toward certification, by allowing offenders to work on fleet vehicles. This allocation increase will allow us to raise the allotment and spend the additional funds on increased operational costs related to expanding the programs.



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF CORRECTIONS  
111 STATE HOUSE STATION  
AUGUSTA MAINE  
04333-0111

RANDALL A. LIBERTY  
COMMISSIONER

### **Capital Construction/ Repairs/ Improvements**

On page A-114 is the next program, the Capital Construction/ Repairs/ Improvements Program, which is associated with Federal Expenditure funding related to Capital Construction. The account is currently inactive as no Federal funding has been received, but contains an allotment placeholder of \$500 should the Department receive funding in the future.

### **Maine Correctional Center**

On page A-115 is the baseline for the next program. The Maine Correctional Center is located in South Windham and houses approximately 737 medium and minimum security male and female offenders. The facility provides education, treatment and industries programs. The Maine Correctional Center also serves as the site for the therapeutic community for substance use disorder, as well as the intake facility for the department. There are no new initiatives for this program.

### **Correctional Medical Services Fund**

On page A-116 is the baseline for the Correctional Medical Services Fund, which provides contracted medical and other health and treatment related services to offenders under the departments custody. There are no initiatives for this program.

### **Corrections Food**

The next program is on page A-117. The Corrections Food program consolidates food commodity purchases by centralizing the control and purchase of food allowing the Department to take advantage of opportunity buying, coordinate dietary requirements through healthier coordinated menus, and provide direct oversight to reduce the commodity cost of food throughout the system.

The one initiative in this program relates to the establishment of the new Washington County Prerelease Center. The request is \$156,859 of General Fund appropriation in FY2020 and \$159,212 in FY2021 for food for the Prerelease population proposed to be housed at WCPRC. This initiative will also be referenced on pages A-117 and A-127.

### **Correctional Industries**

Also on page A-117 is baseline for the Corrections Industries program. This program provides prisoners with an opportunity to work and learn new skills while earning income that goes toward reimbursing the State for their room and board as well as payment toward victim restitution and child support. The program consolidates all prison industries programs across the department into a centralized account for better operational and fiscal control. There are no initiatives for this program.

### **The County Jail Operations Fund**

At the top of page A-118 is the County Jail Operations Fund program, which provides funding to county jails. The Department is a conduit of state and court funding to the county jails. The Department also provides administrative services to the jails and maintains the Corrections Reporting of Actuals System (income statement data) and the Bed Availability Reporting System (jail population data) at no cost to the jails.

The initiative of \$3,000,000 General Fund All Other appropriation in each year of the biennium was put forth by the counties directly to the State Budget Office.

### **Departmentwide Overtime**

Also on page 118 is the Departmentwide Overtime program that supports the costs of overtime incurred in the Department's correctional facilities for unbudgeted overtime. This program was established to reduce the need for emergency budget requests. There are no initiatives for this program.

### **Downeast Correctional Facility**

On page 119 is Downeast Correctional Facility program which was budgetarily de-funded and the facility closed in early 2018.

There are no new initiatives related to this program.

### **Justice - Planning, Projects & Statistics**

The Justice, Planning, Projects & Statistics program is on page A-120. The program is managed through The Juvenile Justice Advisory Group administers federal funding from the Department of Justice and the Office of Juvenile Justice and Delinquency Prevention. These funds support prevention, intervention and juvenile justice system improvement grants to local, state and community service providers. There are no new initiatives for this program.

### **Juvenile Community Corrections**

On page 121 is the Juvenile Community Corrections program funds the cost of juvenile community corrections officers, support staff, office space and contracted community services related to the supervision and treatment needs of juveniles under community supervision. There are no initiatives for this program.

### **Long Creek Youth Development Center**

On page A-122 The Long Creek Youth Development Center is located in South Portland and serves detained and committed juvenile offenders. The facility provides reception and diagnostic services, education, mental health, medical and substance use disorder treatment services, and sex offender services.

There are no initiatives for Long Creek.

### **Mountain View Correctional Facility**

On page A-123 is the Mountain View Correctional Facility program. Located in Charleston it houses approximately 450 medium and minimum security male offenders. The facility provides education, work opportunities, community restitution and mental health, medical, substance use disorder and sex offender treatment services as well as juvenile detention. Juvenile detention at MV is only used for very short periods of



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF CORRECTIONS  
111 STATE HOUSE STATION  
AUGUSTA MAINE  
04333-0111

RANDALL A. LIBERTY  
COMMISSIONER

time, and only in limited circumstances. Most of the Downeast Correctional Facility population was moved to Mountain View when the facility was closed.

There are no new initiatives for the Mountain View Correctional Facility program.

### **Office of Victim Services**

The Office of Victim Services program on page A-124 is responsible for the provision of services to victims of crime whose offenders are in the custody of or under the supervision of the Department of Corrections. A person who is the victim of a crime is entitled to certain basic rights: to be treated with dignity and respect; to be free from intimidation; to be assisted by criminal justice agencies and to be informed about the criminal justice system. Rights of victims are served through information, resources, and referrals. There are no new initiatives for the Victim Services program.

### **Parole Board**

The Parole Board program on page A-125 reviews requests from offenders who are eligible for parole.

There are no initiatives for this program.

### **Maine State Prison**

The Maine State Prison located in Warren, houses approximately 950 special management, close and medium security offenders. Programming activities include Prison Industries, treatment, education, vocation, mental health and substance use disorder treatment. There is housing for protective custody prisoners, an infirmary, and it is where the Intensive Mental Health Unit is located for the department.

There are no initiatives for the Maine State Prison.

If there are no (further) questions I will move on to our next program the Washington County Prerelease Center initiative on page A-127.

### **Washington County Prerelease Center**

On page A-127 is our final program, the Washington County Prerelease Center. This is a new program for the establishment of a minimum security unit of the Mountain View Correctional Center, to be located in Washington County, and includes vocational training and rehabilitation programs, including work release and public restitution.

As you know, the Downeast Correctional Facility was closed in 2018 and those inmates were moved. Reopening the existing building is not possible, as it is too costly to repair. The Department recognizes the value DCF brought to the community and employers.

As a result, the Department is proposing to create a modern pre-release facility that will house up to 50 male offenders in a minimum security environment, overseen and supervised by 15 staff. In addition to serving as a

work release site enabling eligible offenders to work in the community, the new facility will also offer public restitution crews and provide vocational programming to ready offenders to enter the DOWNEAST job market.

The initiative establishes one Correctional Unit Manager position, 2 Correctional Sergeant positions, 10 Correctional Officer positions, one Vocational Trades Instructor position and one Community Program Coordinator position starting September 1, 2019. There will be other positions and resources shared with Mountain View Correctional Facility, as needed, to ensure proper maintenance and services are provided in Washington County. The Correctional Unit Manager, like other Unit Managers of the Department (many of which supervise units of 200-400 prisoners), will serve as the supervisor and leader of this pre-release center, and will report directly to the Superintendent of Mountain View Correctional Facility. It also provides funding for related All Other costs of establishing these positions and a prerelease center in Washington County. The request is \$1,354,234 and \$1,672,661 in General Fund Personal Services appropriation in FY20 and FY21, respectively and \$271,006 and \$316,541 in General Fund All Other appropriation in FY20 and FY21, respectively.

## **Language**

Our language starts on page 56.

Part MM – Transfer of Funds for Overtime Expenses –

This language is not new to the Department and allows Personal Services, All Other or Capital Expenditures funding to be transferred between accounts, by financial order, within the same fund to meet operational needs.

On page 57 is Part NN which allows for position adjustments to be made July 1st to December 1st of each fiscal year by financial order, to meet operational needs.

**Thank you for the opportunity to present the Governor's proposed budget for SFY 2020 and SFY 2021 for the Department of Corrections.**

**I'm happy to answer any questions you may have.**